

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LAVEAL MCGHEE

PLAINTIFF

V.

NO. 4:10CV139-A-A

SUPT. EMMITT L. SPARKMAN, et al.

DEFENDANTS

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate, brings this complaint *pro se* pursuant to 42 U.S.C. § 1983. The Magistrate Judge has submitted a Report dated September 12, 2011, recommending the dismissal of Defendants Emmitt Sparkman, E.R. Moody, and Eric Ford.

The Report was on that date duly served by mail upon the Plaintiff and Defendants at their last known addresses; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been served or filed by any party. The court is of the opinion that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court.

THEREFORE, it is hereby **ORDERED** that

(1) the Report and Recommendation (docket entry 11) is **APPROVED** and **ADOPTED** as the opinion of this court;

(2) Defendants Emmitt Sparkman, E.R. Moody, and Eric Ford are **DISMISSED WITH PREJUDICE**; and

(3) Plaintiff may proceed with his claim against the remaining Defendants Albert First and Victoria McFarland.

SO ORDERED, this the 18th day of November, 2011.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE